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DOCKET NO: B0801.70258US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Martha M. Murray *et al.*  
Serial No: 09/917,058  
Confirmation No: 2028  
Filed: July 27, 2001  
For: BIOLOGIC REPLACEMENT FOR FIBRIN CLOT

Examiner: Brian E. Pellegrino  
Art Unit: 3738

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 4 day of June, 2004.

Helen C. Lockhart

Commissioner for Patents  
P.O Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Sir:

Transmitted herewith are the following documents:

- [X] Supplemental Information Disclosure Statement;
- [X] PTO Form 1449;
- [X] Return Receipt Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

A check in the amount of \$180.00 is enclosed to cover the fee for the Supplemental IDS. If the fee is insufficient, the balance may be charged to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,  
Martha M. Murray, M.D., *et al.*, Applicants

By:

Helen C. Lockhart, Ph.D., Reg. No. 39,248  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2211  
Telephone: (617) 720-3500

Docket No.: B0801.70258US00  
Date: June 4, 2004  
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Alexandria, VA 22313-1450

**SUPPLEMENTAL STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$ 180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

06/09/2004 MAHME1 00000004 09917058

01 FC:1806

180.00 DP

Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

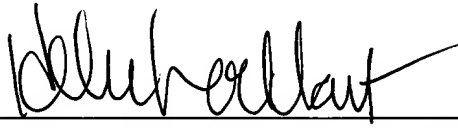
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

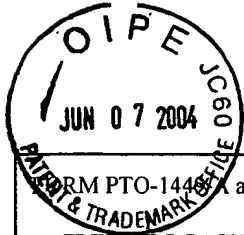
Respectfully submitted,  
Martha M. Murray et al., *Applicant*

By:   
Helen C. Lockhart, Ph.D., Reg. No. 39,248  
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Telephone: (617) 720-3500

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**XNDDX**



<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		APPLICATION NO.: 09/917,058		ATTY. DOCKET NO.: B0801.70258US00	
		FILING DATE: July 27, 2001		CONFIRMATION NO.: 2028	
		APPLICANT: Martha M. Murray et al.			
		GROUP ART UNIT: 3738		EXAMINER: Brian E. Pellegrino	
Sheet	1	of	1		

#### U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		

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#### FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			

#### OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
	C1	Gerich et al., "Gene transfer to the patellar tendon," <i>Knee Surg, Sports Traumatol, Arthroscopy</i> (1997) 5:118-123		
	C2	Nakamura et al., "A comparison of in vivo gene delivery methods for antisense therapy in ligament healing," <i>Gene Therapy</i> (1998) 5: 1455-1461		
	C3	Nakamura et al., "Early biological effect of in vivo gene transfer of platelet-derived growth factor (PDGF)-B into healing patellar ligament," <i>Gene Therapy</i> (1998) 5: 1165-1170		

EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_, filed \_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]